

REMARKS/ARGUMENTS

Applicant thanks the Examiner for review of the present application. Claims 1-12 and 16-21 are now pending in the present application. Applicant notes with appreciation the indication that Claims 16-17 present allowable subject matter. Applicant also notes with appreciate the indication in the Office Acton of August 28, 2007, that Claims 15-17 present allowable subject matter.

Applicant also thanks the Examiner for an opportunity to conduct a brief interview regarding the Advisory Action on April 1, 2008.

The final Official Action of January 16, 2008, rejects Claims 1-12 and 18-21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,789,215 to Rupp (hereinafter "the Rupp patent"). The Advisory Action of March 20, 2008, indicates that the amendments presented in the prior response will not be entered because they raise new issues that would require further consideration and/or search.

Applicant presents the amendments to Claims 1, 5, 9, and 12 once again and provides the following additional remarks in response to the rejections set forth in the Office Action and the remarks of the Advisory Action.

Interview Summary

Applicant noted that the Advisory Action remarked upon Claim 15 having been previously cancelled and that the prior amendments were similar to but did not correspond directly with the limitations of either Claim 16 or 17. As such, Applicant, by its attorney Christopher J. Gegg, conducted a brief interview with Examiner Philip A. Guyton on April 1, 2008.

During the interview, it was discussed that the attempted prior (and present) amendments to independent Claims 1, 5, 9, and 12 correspond directly to the limitation of Claim 15 before it was cancelled by amendment on November 15, 2007, at which time the subject matter Claim 15 was indicated as presenting allowable subject matter, as well as the subject matter of Claims 16 and 17. It was discussed that a generic form of the limitations of Claims 15-17 was presented in the amendments of November 15, 2007. However, subsequent to the Final Office Action of January 16, 2008, Applicants attempted (and hereby again present) amendments to independent

Claims 1, 5, 9, and 12 corresponding directly to the limitation of Claim 15 before it was cancelled by amendment on November 15, 2007, at which time the subject matter Claim 15 was indicated as presenting allowable subject matter. The Examiner indicated that the remarks of the Advisory Action were based upon the pending claims at the time the After Final Amendments (i.e., the claims as amended on November 15, 2007) without consideration for the previously amended claims of May 10, 2007.

As such, the Examiner indicated that this subsequent After Final Amendment should be presented to provide the opportunity to reconsider the present amendments as incorporating the limitation of Claim 15 before it was cancelled by amendment on November 15, 2007, at which time the subject matter Claim 15 was indicated as presenting allowable subject matter.

For convenience, Claim 15, before being cancelled, recited:

“The computer program product of Claim 12, wherein said routines include separate collection and testing of a configuration depending upon whether the email gateway is receiving mail or delivering mail.”

Similarly, Claim 1 as presently amended recites, in part:

“...wherein said at least one troubleshooting routine includes separate collection and testing of a configuration depending upon whether the email gateway is receiving mail or delivering mail...”

Accordingly, Applicant respectfully requests reconsideration of the entry of the present amendments and allowance of the pending amended claims.

PRIOR REMARKS

Rejections Under 35 U.S.C. § 102(e)

The Office Action rejects Claims 1-12 and 18-21 under § 102(e) as being anticipated by the Rupp patent. Applicant presently amends independent Claims 1, 5, 9, and 12 to more fully and expressly recite the subject matter of cancelled Claim 15, previously indicated as presenting allowable subject matter. The prior amendments to these claims intended to incorporate the same limitation, but using different language and in a different manner. The present amendments to these claims expressly recites the identical limitation of Claim 15, except that “said routines” has been changed in Claims 1, 5, and 9 to “said at least one troubleshooting routine”

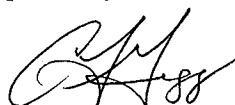
to correspond for purposes of antecedent basis. Accordingly, for at least the reasons why Claim 15 presented allowable subject matter, Applicant submits that Claims 1, 5, 9 and 12, as amended, now also each present allowable subject matter and that such claims are in a condition for allowance. Applicant submits that the present amendments overcome the § 102(e) rejections and that pending Claims 1-12 and 16-21 are in a condition for allowance.

Conclusion

In view of the remarks presented above, Applicant submits that all of the pending Claims 1 - 21 are in condition for allowance. Accordingly, entry of the allowance of the application is respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper, such as the fees for a request for an extension of time. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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